

JUN 13 2005

PTO/SB/22 (12-04)

Approved for use through 7/31/2006. OMB 0851-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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|  |  |   |  |
|--|--|---|--|
| <b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)<br/>FY 2005</b><br>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).) |  | <b>Docket Number (Optional)</b><br>532792000610 |  |
| <b>Application Number</b> 09/992,901   |  | <b>Filed</b> November 14, 2001                  |  |
| <b>For</b> GENETICALLY MODIFIED PLANTS HAVING MODULATED BRASSINOSTEROID SIGNALING  |  |   |  |
| <b>Art Unit</b> 1638   |  | <b>Examiner</b> C. Collins                      |  |

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

|  | <b>Fee</b> | <b>Small Entity Fee</b> |           |
|--|------------|-------------------------|-----------|
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1))             | \$120      | \$80                    | \$        |
| <input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$450      | \$225                   | \$ 225.00 |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3))          | \$1020     | \$510                   | \$        |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4))           | \$1590     | \$795                   | \$        |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5))           | \$2160     | \$1080                  | \$        |

☒ Applicant claims small entity status. See 37 CFR 1.27.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to  
Deposit Account Number 03-1852 I have enclosed a duplicate copy of this sheet. Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

I am the ☐ applicant/inventor.  
☐ assignee of record of the entire interest. See 37 CFR 3.71.  
 Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98).  
☒ attorney or agent of record. Registration Number 38,661  
☐ attorney or agent under 37 CFR 1.34.  
 Registration number if acting under 37 CFR 1.34 \_\_\_\_\_

Michael R. Ward June 13, 2005  
 Signature Date  
Michael R. Ward 415/268-6237  
 Typed or printed name Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 Forms are submitted.

**FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the COMMISSIONER FOR PATENTS- CENTRALIZED FAX NO. 703/872-9306 MS: JF, on:

Date: June 13, 2005

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sf-1946507

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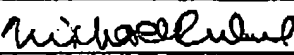
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PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| Effective on 12/03/2004.<br>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).   |   |                       |                                   | Complete If Known                                |                        |
|---|---|-----------------------|-----------------------------------|--|------------------------|
| <b>FEE TRANSMITTAL<br/>for FY 2005</b>  |   |                       |                                   | Application Number                               | 09/992,901             |
|   |   |                       |                                   | Filing Date                                      | November 14, 2001      |
|   |   |                       |                                   | First Named Inventor                             | Michael M. NEFF        |
|   |   |                       |                                   | Examiner Name                                    | C. Collins             |
|   |   |                       |                                   | Art Unit   | 1638                   |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27   |   |                       |                                   | Attorney Docket No.                              | 532792000810           |
| TOTAL AMOUNT OF PAYMENT   |   | (\$)                  |                                   | 225.00   |                        |
| METHOD OF PAYMENT (check all that apply)  |   |                       |                                   |  |                        |
| <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____  |   |                       |                                   |  |                        |
| <input checked="" type="checkbox"/> Deposit Account   Deposit Account Number: <u>03-1952</u> Deposit Account Name: <u>Morrison &amp; Foerster LLP</u><br>For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) |   |                       |                                   |  |                        |
| <input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee   |   |                       |                                   |  |                        |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) <input checked="" type="checkbox"/> Credit any overpayments<br>under 37 CFR 1.16 and 1.17   |   |                       |                                   |  |                        |
| WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  |   |                       |                                   |  |                        |
| FEE CALCULATION   |   |                       |                                   |  |                        |
| 1. BASIC FILING, SEARCH, AND EXAMINATION FEES   |   |                       |                                   |  |                        |
| FILING FEES   |   | SEARCH FEES           |                                   | EXAMINATION FEES                                 |                        |
| Application Type  | FEE (\$)  | Small Entity Fee (\$) | Fee (\$)                          | Small Entity Fee (\$)                            | Fees Paid (\$)         |
| Utility   | 300   | 150                   | 500                               | 250  | 100                    |
| Design  | 200   | 100                   | 100                               | 50   | 65                     |
| Plant   | 200   | 100                   | 300                               | 150  | 80                     |
| Reissue   | 300   | 150                   | 500                               | 250  | 300                    |
| Provisional   | 200   | 100                   | 0                                 | 0  | 0                      |
| 2. EXCESS CLAIM FEES  |   |                       |                                   |  |                        |
| Fee Description   |   | Fee (\$)              |                                   | Small Entity Fee (\$)                            |                        |
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent  |   | 50                    |                                   | 25   |                        |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent   |   | 200                   |                                   | 100  |                        |
| Multiple dependent claims   |   | 360                   |                                   | 180  |                        |
| Total Claims  | 29  | Extra Claims          | -41 or HP                         | Fee (\$)   | 0                      |
| HP + highest number of total claims paid for, if greater than 20  |   | Indep. Claims         |                                   | Extra Claims                                     | Fee (\$)               |
| 3   |   | -3 or HP              |                                   | Fee (\$)   | 0                      |
| HP + highest number of independent claims paid for, if greater than 3   |   | 3                     |                                   | Fee (\$)   | 0                      |
| 3. APPLICATION SIZE FEE   |   |                       |                                   |  |                        |
| If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or reaction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).                                   |   |                       |                                   |  |                        |
| Total Sheets  | - 100 =   | Extra Sheets          | / 50 =                            | Number of each additional 50 or fraction thereof | Fee (\$)               |
|   |   |                       |                                   | (round up to a whole number) x                   | Fee Paid (\$)          |
| 4. OTHER FEE(S)   |   |                       |                                   |  |                        |
| Other: EXTENSION OF TIME (2 MONTHS)   |   |                       |                                   | \$225.00   |                        |
| SUBMITTED BY: MORRISON & FOERSTER LLP   |   |                       |                                   | CUSTOMER NO. 20872                               |                        |
| Signature   |  |                       | Registration No. (Attorney/Agent) | 38,651   | Telephone 415/268-6237 |
| Name (Print/Type)   | MICHAEL R. WARD   |                       | Date                              | June 13, 2005                                    |                        |

sf-1946623